

**REGULAR COUNCIL MEETING
CITY OF WATERTOWN
March 17, 2008
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER PETER L. CLOUGH
COUNCILMEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **CITY MANAGER MARY M. CORRIVEAU
ATTORNEY ROBERT J. SLYE**

City Manager Corriveau presented the following reports to the Council:

- 1 - Commissioner of Deeds
- 2 - Commissioner of Deeds
- 3 - Authorizing the Execution of a Cooperation Agreement With Jefferson County Pertaining to the HOME Program
- 4 - Approving Partnership Agreement With Thousand Islands Regional Tourism Development Corporation to Apply for Funds from Explore NY
- 5 - Approving License Agreement, Guilfoyle Ambulance Service, Inc.
- 6 - Approving Riverwalk Parking Lease Agreement, Guilfoyle Ambulance Service, Inc.
- 7 - Approving Agreement for Bus Advertising Services, Inkwell Graphix
- 8 - Approving the Rental Agreement Between the City of Watertown and Jefferson Community College
- 9 - Approving Section 5311 Annual Operating Assistance Grant Applications
- 10 - Approving Bid for TenEyck Street Reconstruction, Bat-Con
- 11 - Accepting the Bid from B-S Industrial Contractors, Inc. of Gouverneur, NY for the Construction of the Black River Parks Project
- 12- 7:30 p.m. – Authorizing Submission of an Application for Fiscal Year 2008 Small Cities Community Development Block Grant Funding
- 13 - 7:30 p.m. - Finding that the Approval of the Zone Change Application of Justin Wood of Aubertine & Currier, PLLC, on Behalf of Trinity Episcopal Church, to Change the Approved Zoning Classification for Property Located At 219-227 Sherman Street and 185-197 Stone Street, Parcels No. 10-06-113, 10-06-111, 10-06-114, 10-06-115 and 10-16-116, from Commercial and Residence “C” to Limited Business Will Not Have a Significant Impact on The Environment
- 14- 7:30 p.m. – Approving the Zone Change Request Submitted by Justin Wood, of Aubertine & Currier, PLLC, on Behalf of Trinity Episcopal Church, to Change the Approved Zoning Classification for Property Located at 219-227 Sherman Street and 185-197 Stone Street, Parcels No. 10-06-113, 10-06-111, 10-06-114, 10-06-115 and 10-06-116, from Commercial and Residence C to

- Limited Business
- 15 - 7:30 p.m. – Finding that the Amendment to Chapter 310 of the Code of the City of Watertown and the Zoning Map of the City of Watertown Pertaining to The Elimination of the 3/16 Mile Circle and the City Center Overlay District And the Creation of the Downtown Core Overlay District Will Not Have a Significant Negative Impact on the Environment
 - 16- 7:30 p.m. – Amending the Code of the City of Watertown Sections 310-2, 310-3, 3-10-44 and 3-10-52.2, as they Concern the Downtown Core Overlay District
 - 17- Tabled Resolution – Authorizing Sale of Real Property, Known as 114 William Street to Carl E. Farone, 22899 Fralick Road, Watertown, New York 13601
 - 18- Laid Over Under the Rules – Ordinance Amending City Municipal Code §293-67, Schedule XIX, Restricted Time Limit Parking

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of March 3, 2008 was dispensed with and accepted as written by motion of Council Member Peter L. Clough, seconded by Council Member Jeffrey M. Smith and carried with all voting in favor thereof.

COMMUNICATIONS

Minutes from the library's board meeting were received.

ABOVE PLACED ON FILE

From Advantage Watertown encouraging Council to support the resolutions for the grant applications that are on the agenda for this evening's meeting.

ABOVE PLACED ON FILE

Claim against the City was received from Ronald Gowing for personal injuries he sustained when he fell on the Court Street Bridge.

ABOVE REFERRED TO THE BOARD OF AUDIT

PRIVILEGE OF THE FLOOR

S. G. Gates, 157 Dorsey Street, addressed the chair concerning donations for the dog park. He mentioned that a possible benefactor has decided to contribute elsewhere. Mr. Gates also read from a letter he received from Alpine Fence, pledging to donate labor and to discount the cost of materials for a fence around the dog park.

Carmen Dickson, 120 William Street, addressed the chair expressing her desire for the resolution concerning the sale of 114 William Street to Mr. Farone be defeated. She stated that the lot is too small for a building to be erected and added that her family's quality of life will surely decrease if the lot is sold.

Starr Galloway, 639 Olive Street, addressed the chair in support of the sale of 114 William Street to Mr. Farone.

PUBLIC HEARINGS

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR THE 2008 COMPETITION THROUGH THE NYS GOVERNOR'S OFFICE FOR SMALL CITIES.

MAYOR GRAHAM DECLARED THE HEARING OPEN AT 7:30 P.M.

Mr. Mix told Council that this is the second of two required public hearings on the topic. He distributed handouts including the history of the program and a description of the proposal. Mr. Mix added that this program is for rental rehabilitation City-wide, preferably in the downtown area. He added that occupants of rehabilitated apartments must meet certain income requirements .

Council Member Butler asked if there was much interest shown in the downtown area thus far.

Mr. Mix replied that there were a few responses and that the City will do everything it can to market the downtown area.

MAYOR GRAHAM DECLARED THE HEARING CLOSED AT 7:35 P.M.

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING AMENDING THE CODE OF THE CITY OF WATERTOWN, BY ELIMINATING THE 3/16 MILE CIRCLE AND CITY CENTER OVERLAY DISTRICT AND DESIGNATING THE DOWNTOWN CORE OVERLAY DISTRICT.

MAYOR GRAHAM DECLARED THE HEARING OPEN

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER AMENDING THE CODE OF THE CITY OF WATERTOWN, SECTIONS 310-2, 310-3, 310-44 AND 3-10.52.2 AS THEY CONCERN THE DOWNTOWN CORE OVERLAY DISTRICT.

MAYOR GRAHAM DECLARED THE HEARING OPEN

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING CONCERNING APPROVING THE ZONE CHANGE REQUEST SUBMITTED BY JUSTIN WOOD, OF AUBERTINE & CURRIER, PLLC, ON BEHALF OF TRINITY EPISCOPAL CHURCH TO CHANGE THE APPROVED ZONING CLASSIFICATION FOR PROPERTY LOCATED AT 218-227 SHERMAN STREET AND 185-197 STONE STREET, PARCELS NO. 10-06-113, 10-06-111, 10-06-114, 10-06-155 AND 10-06-116, FROM COMMERCIAL AND RESIDENCE C TO LIMITED BUSINESS

MAYOR GRAHAM DECLARED THE HEARING OPEN

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED

R E S O L U T I O N S

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

RESOLVED that the following individuals are hereby appointed Commissioner of Deeds for the term expiring December 31, 2008:

Bryan White

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEAS.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

RESOLVED that the following individuals are hereby appointed Commissioner of Deeds for the term expiring December 31, 2008:

Steven G. Knight

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the National Affordable Housing Act of 1993 created new initiatives to produce and preserve affordable housing, including the HOME Investment Partnerships Program (HOME), and

WHEREAS the HOME Investment Partnerships Program will provide monies to states and local governments to fund affordable housing strategies, and

WHEREAS Section 216(2) of the National Affordable Housing Act provides that a consortium of geographically contiguous units of general local government may apply for funding under the HOME Program, and

WHEREAS the City of Watertown has determined that it is desirable and in the public interest to cooperate with the County of Jefferson, in order to participate in the North Country Home Consortium, comprised of the County of Jefferson, the County of Lewis and the County of St. Lawrence to receive funding under the HOME Program,

NOW THEREFORE BE IT RESOLVED that the City Council authorizes the Mayor, Jeffrey E. Graham, to execute on behalf of the City of Watertown a Cooperation Agreement with the County of Jefferson to under take or assist in undertaking housing assistance activities for the HOME Investment Partnerships Program.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER JR. AND CARRIED WITH ALL VOTING YEA.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS on March 6, 2007, the City Council of the City of Watertown approved an Agreement with the Thousand Islands Regional Tourism Development Corporation (TIRTDC) to promote the City through various media outlets, and

WHEREAS a portion of that contract was unable to be spent due to the discontinuance of the I Love NY magazine, and

WHEREAS the TIRTDC has asked the City to use a portion of those unused funds to partner with them on an Explore NY grant application, and

WHEREAS the City desires to promote the Black River and the City as a tourist designation,

NOW THEREFORE BE IT RESOLVED that the City Manager, Mary M. Corriveau, is hereby directed to enter into and execute the Partnership Agreement, a copy of which is attached and made part of this resolution, on behalf of the City Council of the City of Watertown, and

~~BE IT FURTHER RESOLVED that the City Manager is authorized to act on behalf of the City Council in all further matters related to this project.~~

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH

Council Member Butler asked for more specifics on how the money for this program is allocated.

Christine Hoffman, Downtown Development Specialist, told Council that outreach is regional, reaching across Upstate New York and into Canada.

Council Member Smith questioned the role of the City Manager acting on behalf of the Council and stated he feels that the Mayor should act for Council.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO AMEND THE FOREGOING RESOLUTION TO HAVE THE MAYOR ACT ON BEHALF OF THE CITY COUNCIL ON ALL FURTHER MATTERS RELATED TO THIS PROJECT.

MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER.

Mayor Graham said he would be willing to sign on behalf of Council.

Mrs. Corriveau reminded Council that any substantive changes do go before Council for their approval, such as what types of advertisements will be run and where.

Council Member Smith agreed that Council usually picks the best ads but feels that the Mayor would be more apt to get the best consensus.

Council Member Clough asked how this change would affect this resolution.

Mrs. Corriveau said this change would not affect its future.

Council Member Smith reiterated that he is simply uncomfortable with the wording of the last line of the resolution.

Mrs. Corriveau asked Council if they wish to delete the last sentence.

COUNCIL MEMBER SMITH WITHDREW THE MOTION. COUNCIL MEMBER BUTLER WITHDREW THE SECOND.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO ELIMINATE THE LAST SENTENCE OF THE FOREGOING RESOLUTION. MOTION WAS SECONDED BY

COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

AT THE CALL OF THE CHAIR, VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND CARRIED WITH ALL VOTING YEA.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City owns a facility known as the Thompson Park Water Tank located in the City of Watertown, County of Jefferson, State of New York (referred to herein as the "Park"); and

WHEREAS Guilfoyle desires to place a radio antenna at the Thompson Park Water Tank and the City is willing to grant a License for the same to Guilfoyle, and

WHEREAS Guilfoyle Ambulance Service, Inc. provides a service that promotes the health, safety and welfare of the citizens of the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the License Agreement between the City of Watertown and Guilfoyle Ambulance Service, Inc., a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City is a municipal corporation organized under the laws of the State of New York and as such owns a recreational facility known as Veterans' Memorial Riverwalk, and

WHEREAS the City desires to promote activity at the Riverwalk for the valid public purpose of the benefit, recreation, entertainment, amusement, convenience and welfare of the people of the City by increasing parking availability at the Riverwalk, and

WHEREAS Guilfoyle owns property adjacent to the Riverwalk which it desires to make available for parking at the Riverwalk through a Lease,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves the Riverwalk Parking Lease Agreement between the City of Watertown and Guilfoyle Ambulance Service, Inc., a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City of Watertown owns and operates the City Bus System which is available to the general public, and

WHEREAS on March 21, 2005 the City entered into an Agreement with Inkwell Graphix for the sale of advertising on the City of Watertown's transit system, and

WHEREAS the initial term of that Agreement expires on March 20, 2008, and it is the desire of the City and Inkwell Graphix to renew the Agreement for an additional two year term under the same terms and conditions, as was authorized under the terms of the initial Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Franchise Agreement between the City of Watertown and Inkwell Graphix, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute said Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS

Council Member Clough inquired why this resolution was defeated at the last meeting.

Mrs. Corriveau replied that since this is a franchise agreement, it requires a 4/5 vote.

Council Member Butler asked if the City would approve all bus advertisements.

Mrs. Corriveau stated she is not aware that the City would approve the ads.

Council Member Butler referred to Section 5 of the report stating that the City Transit System reserves the right to refuse any advertisement.

Eugene Hayes, DPW Superintendent, stated that a fail-safe system was needed to insure that someone of a responsible nature would look at the advertisements. He added that the individual would not specify what can be advertised, but rather what cannot be advertised.

Mayor Graham questioned the idea and added that this is an unnecessary attempt to regulate commercial speech.

Council Member Burns mentioned that the City could do a better form of marketing this form of advertising.

Council Member Clough asked if the contract expires this month.

Mrs. Corriveau said the contract expires on March 21, 2008 and can be renewed for two years.

Council Member Clough asked if the contract can be renewed for one year then reviewed and given new guidelines. He added that staff should make sure no ads have been purchased for the coming year.

Mrs. Corriveau said she will look into that and stated that beyond this week the contracts end anyway.

Attorney Slye stated that Inkwell Graphix has the authority to sell a one year agreement with an advertiser.

Council Member Butler suggested extending the current contract.

MOTION WAS MADE BY COUNCIL MEMBER BUTLER TO TABLE THE FOREGOING RESOLUTION, SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City of Watertown will be participating in National Incident Management Systems training required by the Federal Emergency Management Agency, and

WHEREAS the provided training will educate City staff as to the best practices and concepts of emergency management and the incident management system, and

WHEREAS the City of Watertown will be utilizing a classroom provided by Jefferson Community College for this service, and

WHEREAS the fee for utilizing said classroom shall be waived as stated in the Statement of Charges included in the Rental Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Rental Agreement between the City of Watertown and Jefferson Community College, and

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager, Mary M. Corriveau, to execute the Agreement, as well as draft a letter, indemnifying Jefferson Community College and the County of Jefferson.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS Section 5311 of Title 49, United States Code, provides federal financial assistance for public transportation in rural and small urban areas by way of a formula grant program to be administered by the States, and

WHEREAS the City of Watertown may make application annually to the New York State Department of Transportation for such Federal aid for operating assistance for a Project to provide public mass transportation service on a continuing basis in Watertown, New York, and

WHEREAS the City of Watertown is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311 to provide public mass transportation service for the City of Watertown and its environs for the 2007-09 Fiscal Years, and

WHEREAS the City of Watertown has entered into a continuing agreement with the State of New York, with a term from July 1, 2002 through June 30, 2012,

NOW THEREFORE BE IT RESOLVED that City Manager Mary M. Corriveau is authorized and directed to execute the Section 5311 Operating Assistance Application on behalf of the City of Watertown, and

BE IT FURTHER RESOLVED that City Manager Mary M. Corriveau is authorized to sign any contracts or agreements between the City of Watertown and any third party subcontractor necessary to complete the public transportation project.

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH

Council Member Butler briefly questioned the sources of revenue in the report.

Mrs. Corriveau explained it to Council.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION WITH ALL VOTING IN FAVOR THEREOF.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City Purchasing Department advertised and received sealed bids for the reconstruction of TenEyck Street and the 400 and 500 blocks of Sherman Street, and

WHEREAS invitations to bid were issued to sixteen (16) prospective bidders, and

WHEREAS nine (9) sealed bids were submitted and publicly opened and read in the City Purchasing Department on Thursday, March 6, 2008, at 11:30 p.m., and

WHEREAS the City Purchasing Agent, Robert J. Cleaver, reviewed the bids received with City Engineer Kurt Hauk and Thomas Maurer, Engineer I, and it is Mr. Cleaver's

recommendation that the City Council accept the bid submitted by Bat-Con, 4277 Slate Hill Road, Marcellus, New York, in the amount of \$2,077,325.00, as the lowest qualifying bid meeting City specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid submitted by Bat-Con, 4277 Slate Hill Road, Marcellus, New York, in the amount of \$2,077,325.00 for the reconstruction of TenEyck Street and the 400 and 500 blocks of Sherman Street.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City Purchasing Department has advertised and received sealed bids for the Black River Parks Project involving the construction of riverfront improvements at the Abe Cooper Site on Factory Street, the Veterans Memorial Riverwalk, Hole Brothers Park on Newell Street and the Fairgrounds, and

WHEREAS invitations to bid were issued to thirteen (13) prospective bidders, and

WHEREAS nine (9) sealed bids were submitted and publicly opened and read in the City Purchasing Department on Thursday, March 6, 2008, at 1:30 p.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver, City Planner Michael A. Lumbis, and Downtown Development Specialist Christine E. Hoffman have reviewed the bids and are recommending that the City Council accept the bid submitted by B-S Industrial Contractors, Inc. of Gouverneur, New York in the amount of \$523,686 as the lowest qualifying bid meeting City specifications, and

WHEREAS the City's design firm for the project, Environmental Design and Research, P.C. has also reviewed the bids and the contractor's qualifications and also recommends that the City Council award the contract to B-S Industrial Contractors, Inc., and

WHEREAS the City Council must revise the bond ordinances for this project to reflect the new project cost,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by B-S Industrial Contractors, Inc. of Gouverneur, NY in the amount of \$523,686 for the construction of the Black River Parks Project, and

BE IT FURTHER RESOLVED that the that the Mayor, Jeffrey E. Graham, is hereby authorized to enter into and execute a Project Agreement with the B-S Industrial Contractors, Inc. for the project, and

BE IT FURTHER RESOLVED that the acceptance of this bid is subject to City

Council's approval of the modified bond ordinances for the project.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS

Council Member Smith asked what will be accomplished by this project.

Michael Lumbis, City Planner, told Council that the Hole Brothers site will be concentrated on while other sites could be eliminated from the project. He added that an amendment would be needed for the State contract if projects are cut out which could push work until late Fall or next year.

Council Member Smith questioned the need for redesigning anything, but suggested just focusing on one site.

Council and staff further discussed project plans.

AT THE CALL OF THE CHAIR, VOTE WAS TAKEN ON THE FOREGOING RESOLUTION WITH ALL VOTING IN FAVOR THEREOF.

MOTION WAS MADE BY COUNCIL MEMBER PETER L. CLOUGH TO TAKE FROM THE TABLE THE RESOLUTION AUTHORIZING SALE OF REAL PROPERTY, KNOWN AS 114 WILLIAM STREET TO CARL E. FARONE, 22899 FRALICK ROAD, WATERTOWN, NEW YORK.

MOTION WAS SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH COUNCIL MEMBER BURNS, COUNCIL MEMBER CLOUGH AND MAYOR GRAHAM VOTING YEA, AND COUNCIL MEMBER BUTLER AND COUNCIL MEMBER SMITH VOTING NAY.

Mayor Graham stated he believes the intention of the potential buyer of this lot is for parking, and that the neighbors, the Dicksons, are concerned about encroachment.

Council Member Clough asked if Mrs. Corriveau could facilitate a discussion with the parties involved.

Mrs. Corriveau replied that Mr. Mix, Mr. Mills and she believe that a good split of the land is possible.

Council Member Clough stated that he is in favor of tabling this resolution again.

Mayor Graham said he recommends defeating this resolution and suggests staff discuss this issue with the involved parties.

AT THE CALL OF THE CHAIR, VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND IT WAS DEFEATED WITH ALL VOTING NAY.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS Federal funding is available through the New York State Office for Small Cities to support local community development activities that are undertaken by eligible municipalities, and

WHEREAS the City of Watertown is eligible to apply for funding in the 2008 competition under the Small Cities Community Development Block Grant Program, and

WHEREAS it has been determined that such funding should be used for a single purpose proposal to promote rehabilitation of existing sub-standard apartments throughout the City, and creation of new apartments on the upper floors of commercial buildings in the downtown area, and

WHEREAS two public hearings on the CDBG Program and this proposal have been conducted by the City Council on March 3 and March 17, 2008,

NOW THEREFORE BE IT RESOLVED that the Mayor, Jeffrey E. Graham, is hereby authorized to sign and submit an application for Community Development Block Grant funding for consideration in the 2008 Small Cities competition through the New York State Office for Small Cities, and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign all agreements, certifications and other documents required to complete the application and to accept the grant and administer the program that is to be proposed for Small Cities funding.

SECONDED BY COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA.

INTRODUCED BY COUNCIL MEMBER PETER L. CLOUGH

WHEREAS the City Council of the City of Watertown, New York has before it an ordinance for the zone change application of Justin Wood, of Aubertine & Currier, PLLC, on behalf of Trinity Episcopal Church, to change the approved zoning classification of the property located at 219-227 Sherman Street and 185-197 Stone Street, Parcels No. 10-06-113, 10-06-111, 10-06-114, 10-06-115, and 10-06-116, from Commercial and Residence "C" to Limited Business, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed ordinance will constitute such an "Action", and

WHEREAS the City Council has determined that the proposed ordinance is an “Unlisted Action” as that term is defined in 6NYCRR Section 617.2(ak), and

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2(s), and

WHEREAS to aid the City Council in its determination as to whether the proposed zone change will have a significant effect on the environment, Part 1 of the Short Environmental Assessment Form has been prepared by Justin Wood, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Short Environmental Assessment Form and comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and the adoption of the zone change will not have a significant effect on the environment.

2. The Mayor of the City of Watertown is authorized to execute Part 3 of the Environment Assessment Form to the effect the City Council is issuing a Negative Declaration under SEQRA.

3. This resolution shall take effect immediately.

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City Council of the City of Watertown, New York has before it two ordinances which will amend Chapter 310 of the Code of the City of Watertown and the Zoning Map of the City of Watertown to eliminate the 3/16 mile circle and the City Center Overlay District and create the Downtown Core Overlay District, and

WHEREAS the City Council must evaluate all proposed actions in light of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed ordinances constitute such an action, and

WHEREAS the City Council has determined that the proposed ordinances are an “Unlisted Action” as that term is identified in 6NYCRR Section 617.2, and

WHEREAS to aid the City Council in its determination as to whether the proposed Amendments will have a significant negative effect on the environment, Part 1 of a Short Environmental Assessment Form has been prepared by City Staff, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that:

1. Based upon its examination of the Short Environmental Assessment Form and comparison of the proposed actions with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and the adoption of the proposed ordinances will not have any significant negative impacts on the environment.
2. The Mayor of the City of Watertown is authorized to execute a Negative Declaration on behalf of the City Council.
3. This resolution shall become effective immediately.

SECONDED BY COUNCIL MEMBER PETER L. CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

ORDINANCES

THE ORDINANCE AMENDING THE CODE OF THE CITY OF WATERTOWN SECTIONS 310-2, 310-3, 310-44 AND 3-10-52.2 AS THEY CONCERN THE DOWNTOWN CORE OVERLAY DISTRICT WAS PRESENTED TO THE COUNCIL

(Introduced on March 3, 2008; public hearing held this evening; appears in its entirety on page 53 of the 2008 Minutes Book)

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

THE ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WATERTOWN BY ELIMINATING THE 3/16 MILE CIRCLE AND CITY CENTER OVERLAY DISTRICT AND DESIGNATING THE DOWNTOWN CORE OVERLAY DISTRICT WAS PRESENTED TO THE COUNCIL

(Introduced on March 3, 2008; public hearing held this evening; appears in its entirety on page 54 of the 2008 Minutes Book)

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

THE ORDINANCE APPROVING THE ZONE CHANGE REQUEST SUBMITTED BY JUSTIN WOOD, OF AUBERTINE & CURRIER, PLLC ON BEHALF OF TRINITY

EPISCOPAL CHURCH, TO CHANGE THE APPROVED ZONING CLASSIFICATION FOR PROPERTY LOCATED AT 219-227 SHERMAN STREET AND 185-197 STONE STREET, PARCELS NO. 10-06-113, 10-06-111, 10-06-115 AND 10-06-116, FROM COMMERCIAL AND RESIDENCE C TO LIMITED BUSINESS. (Introduced on March 3, 2008; public hearing held this evening; appears in its entirety on page 55 of the 2008 Minutes Book)

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

THE ORDINANCE AMENDING THE CITY MUNICIPAL CODE § 293-67 SCHEDULE XIX, RESTRICTED TIME LIMIT PARKING WAS PRESENTED TO COUNCIL. (Introduced on March 3, 2008; Laid over under the rules; appears in its entirety on page 55 of the 2008 Minutes Book)

Bryan White, Assistant to the City Manager, noted that the Ordinance should be amended so it pertains to only the South side of Mullin Street.

Mayor Graham noted that there are some businesses on that side of the street.

Council Member Burns noted that some have parking available behind their buildings. She also stated that when trying to exit those parking lots, visibility is greatly limited by vehicles parked along the South side of the street.

Council Member Clough asked if those businesses have been contacted.

Council Member Burns replied that she was contacted by one of them and noted that another business has the same concerns.

Mrs. Corriveau mentioned that City Police has tracked parking on that side of the street and noticed there are some repeat license numbers that are there for hours.

MOTION WAS MADE BY COUNCIL MEMBER JEFFREY M. SMITH TO AMEND THE FOREGOING ORDINANCE, SECONDED BY COUNCIL MEMBER CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS

Court Street Sidewalks

Council Member Burns said she and Council had received correspondence from Stephen J.

Bradley (not on file with the City Clerk's office) regarding the condition of the sidewalks in front of his business on Court Street.

Kurt Hauk, City Engineer, told Council the issue is the three access ports to underlying vaults are loose enough that someone could potentially fall through them.

Council Member Smith questioned what the City's responsibility is if City crews were on those same sidewalks removing snow and caused further damage.

Mr. Bradley addressed the chair saying that he will be doing the project himself. He noted that if his sidewalk and parking in front of his store were to be blocked off, that that scenario would not work for him. He added that he did not feel this was handled properly.

Council Member Clough asked if DPW was notified about the issue of prohibiting vehicular traffic on the sidewalks.

Mr. Hayes replied that he would have to review his files, but noted that the Bobcats used to remove snow do not exert that much force per square inch.

Council Member Smith commented that there is some disconnect within the City if vehicles are still allowed to travel on the sidewalk. He added that those Bobcats weigh more than a person does walking by.

Mr. Bradley said that Shawn McWayne, Code Enforcement Supervisor, has interdepartmental emails on this issue.

Vehicle on Holcomb Street

Council Member Smith stated that he has noticed a vehicle on the 1100 block of Holcomb Street that seems to be plowed in between the street and the yard area.

Deteriorating Houses

Council Member Smith noted that there are some homes near the old County Jail that are in disrepair and suggested that Codes look into them.

Heart Walk

Council Member Burns invited or challenged the Mayor and Council to walk in the Heart Walk on April 26, 2008. She asked Council to consider forming a team.

City Website

Mayor Graham asked if there was a link to view City Council meetings on the City's website.

Mrs. Corriveau said there was, by clicking on Council Online. She noted that the City is working on a new website which will be launched within a month and asked Council for biographies to be posted on the site.

Mayor Graham noted that there is technology available to do live feeds of meetings.

New Governor

Mayor Graham wished to congratulate the new Governor and said that Council should closely monitor proposed State Budget reconfiguration talks in Albany.

Gaffney Drive

Attorney Slye told Council he has been contacted by the attorney for the Farquhar estate and that an offer has tentatively been accepted for \$86,000 for Gaffney Drive and the sewage station. He added that he has asked for paperwork for Council's approval.

Council Member Clough stated he believes the City should move forward with Gaffney Drive.

Mrs. Corriveau noted that part of what motivated the owner to sell were the influx of damage reports to vehicles.

Attorney Slye stated that the City needs a reasonable declaration of a time table to protect it liability-wise. He added that declaring it a work zone would slow traffic considerably.

Presentation – State Street & Public Square Project Update

Kurt Hauk, City Engineer, presented to Council an update on the State Street and Public Square reconstruction. He said that the State Street project is 92% complete while Public Square is 49% complete. Mr. Hauk reviewed with Council various change orders, remaining work to complete in 2008 and cost increases.

Mr. Hauk pointed out to Council that the increases, including those due to delays and additional work scope, totals \$893,908, which does not include fuel and asphalt charges.

Attorney Slye and Council discussed the accord reached with the utility companies for this project.

Mrs. Hoffman reminded Council that this was a streetscape project to begin with.

Council and staff further discussed work for the downtown project.

Mayor Graham and Council concurred to cut costs in other areas of the budget in order to have artificial pavement used in the crosswalk sections of Public Square.

ADJOURNMENT

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:35 P.M.
BY MOTION OF COUNCIL MEMBER CLOUGH, SECONDED BY COUNCIL
MEMBER BURNS AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

Amanda C. Lewis
Deputy City Clerk